

US District Court  
Northern District of California

JUL 22 11:12:30  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

James Edward Lawson

vs

Dan Foy

D smallen

Matt Gouhner

Eureka Parole office

Case #

CV 08 3349 VRW(PR)

Complaint under the civil Rights  
Act 42 U.S.C §§ 1983

Supplemental Report  
Request for additional defendant(s)

The plaintiff in this above entitled case is acting in Forma pauperis and fills A need to add to the defendants list the warden of San Quentin State Prison and the plaintiff counselor malone for The reasons of herassment and Violation of Dew process Violation of Appeals process and Violation of access to the courts and law library or supplies for Indgents Inmate as explained in 2007 July the plaintiff reported to Matt Gouhner that D smallen was sexually herassing him so Matt Gouhner Being the PA III of Eureka parole office changed the plaintiff parole agent to Dan Foy But filed to Report Dsmallen to the Internal affairs (said) He did not Belive the plaintiff Because smallen was A personal friend and co-worker He also did not keep this report of sexual misconduct confidential and Past on to the plaintiff new parole agent Dan Foy Who at his first meet with the plaintiff informed the plaintiff that the word at the parole office was that the plaintiff was A trouble maker and that he did plan to send him Back to prison quickly and since thin

false report and dad statement have been written on the plaintiff and done up to make things seem worse than they were and the parole agents would ask for the maxima time in custody the plaintiff was finding that the BPT was given him 10 months / 7 months for the same thing he was given others COP for after reading the parole reports and two times The BPT told the plaintiff (wow your parole agent really don't like you) and all of those dad reports from Smallen / Dan Foy / Matt Gouhnour all stated After I reported the mishandle sexual misconduct Before that you will find that I had good parole reports from agent Topps and Roberts my problems didn't start until after Smallen became my agent

1 so I wrote A 602 to Matt Gouhnour on the sexual misconduct he did not Answer it at all

2 so I wrote A complaint to Risk Management of Humboldt County They sent me A writ of habeas Corpus

3 and I was paroled to A new agent Dan Foy

But once the false report start coming in I realized what was going on

4 so I wrote A 602 to Matt Gouhnour on the false report he did not Answer any of the three 602s

5 so I rewrote 602 to Director of Corrections on the issue stating that the PA II was not responding

Director of Corrections screened out the 602 saying that Institution and parole staff are available to assist

6 so I wrote my counselor Malone and sent to her A few 602 on this matter and she has not responded in over 90 days on any of them

7 so I wrote the warden about the issue and the problem with the counselor Malone and the warden forward all my 602 and complaint to my counselor Malone where all my 602 still to this day set unanswered

- 8 and out of about 20, 602 sent in to the warden/counselor one of Them came Back saying that the problem with my parole agent and his Boss not Answering 602 should Be Appealed through the parole office
- 9 so with me realizing that I was getting A run around with the Appeal 602 process  
I wrote A writ of habeas corpus to the Humboldt Superior court on the false reports and herassment from the parole office and stated that I exhaust the administrative remedies that were avilble and they Denied it say I did not exhaust administrative remedies
- 10 so I filbd out 602 to the Appeals Coordinator about all my 602 not being Answerd I have not got A responce yet although I have sent in 5 602 over A month Ago
- 11 so I thin wrote two writ of habeas corpus to the Marin Superior court on my 602 not Being answered and the run around I am getting with CDCR administrative remedies
- 12 also up top I forget that I put A request in to records for Documents to help me in my case that was over 80 days age still No responce so I 602 it to the warden and the appeals Coordinator and the Counselor malone over 40 days age  
and I wrote to the Director of Corrections each time the Director sent Back A letter saying seek help with institution and parole staff
13. two weeks ago I spoke with the Lt of west Block who took my name and # and said he would find out why my request and 602 are not Being Answered he has not got around to it yet
14. There are other issue here to I have 602 once A week on me not Being given access to the law library and writting paper and copies Because I am



Indigent and with out funds I have 8 602 in on the law library for 8 weeks now I have not gotten to go on none of the 602s have Been Answered

15 also Indigent Inmates should get writting paper and I have 602s this and not got An Answer

16 These thing are also written iN my two writs to marin superior courts and also shown as Exhibits in this case

Now I am continuing to seek administrative responcees and at this point San Quentin is only proving that there is know administrative remedies and the appeal process here is only to prevent Inmate access to the court and is in vallation of prisoners Rights there for I am asking to Add the San Quentin warden and my counselor malone to my complaint under the CIVIL Rights ACT 42 USC §§ 1983 it come down to how much herassment and run around an Inmate has to take Before to court says that enough and even though the prison is not Doing this to assist the parole agents it should Be known that this is the normal practise and They are in violation of prisoners Right alone with the \$50000 that I am Asking from each defendents I am Asking that the Appeal process Be rewritten and the 602 Be carden copic's to where the Inmate has A signed and Dated reciet for each Level of the appeal process

also I have ask the courts for an temporary Restraining order But the Eureka parole office has informed me that my parole has Been transfered to another county one Where I have never Been and I will Be homeless there when in this case I have Ask for my parole to Be move to San Francisco.

where there are programs and help for me  
also I have ask the courts to send me one master  
copy of the full complaint with now six prove of summon  
Because I am an Inmate of the state who is Indigent without  
fund or A copier serves and have not had assistine of the  
prison or state and Been Denied Law Libaray for 8 weeks now

I declare under penalty of perjury that the foregoing  
is true and correct

Signed this 20 day of July 2008

James E Lawson

~~James E Lawson~~ T-77697

Please

Keep in mind that the prison couldn't even handle filling out the trust  
account sheet for my 1983 form which I also 602 and did not get and  
Answer to

**INMATE APPEALS BRANCH**

1515 S Street, Sacramento, CA 95814  
P.O. Box 942883  
Sacramento, CA 94283-0001

*Exhibit 1**CV083349 VRW(PR)*

July 2, 2008

LAWSON, JAMES, T77697  
California State Prison, San Quentin  
San Quentin, CA 94964

RE: IAB# 0734980 CASE INFO/RECORDS

Mr. LAWSON:

The Inmate Appeals Branch, California Department of Corrections and Rehabilitation (CDCR) acts for the Director, Division of Adult Institutions, at the third level of appeal. The Branch examines and responds to inmate and parolee appeals that are submitted on a CDC Form 602, Inmate/Parolee Appeal Form, after the institution or parole region has responded at the Second Level of Appeal.

Institution and parole staff are available to assist you in obtaining additional copies of forms and documents required to submit an appeal. The inmate library offers resources and assistance to obtain general information regarding regulations, procedures, policies, and government agency addresses. Additionally, your assigned Counselor or Parole Agent, or the Appeals Coordinator can answer any questions you may have regarding the appeals process. The Inmate Appeals Branch appreciates your responsible use of the appeal system to address your grievance.

The Inmate Appeals Branch has received an appeal from you and has determined that it does not comply with the appeal procedures established in California Code of Regulations (CCR) Title 15, Article 8, and is being screened-out and returned to you pursuant to CCR 3084.3 for the following reason(s):

The action you are requesting is not an appeal issue. You may contact your assigned Counselor for further information regarding your issue.

Request for information is not an appeal issue. Please submit request for interview to your counselor.

*N. Grannis*

N. GRANNIS, Chief  
Inmate Appeals Branch

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

**INMATE/PAROLEE  
APPEAL FORM**  
 CDC 802 (12/87)

Location: Institution/Parole Region

Log No.

Category

6

1. \_\_\_\_\_

1. \_\_\_\_\_

2. \_\_\_\_\_

2. \_\_\_\_\_

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
James E. Lawson	T-77697		2W72

A. Describe Problem: I am filing A 602/1983 civil Rights complaint form on The Eureka parole office and I need A copy of every report and statment that has Been file By Darren Smallen Dan Foy & Matt Goughnour From 2-20-07 until now I need special condition report / violations Disposition / Recommendation Notice And Request / Legal stAtus Summary / and All charge sheets and statment from parole Agent

If you need more space, attach one additional sheet.

B. Action Requested: please send me these with out Delay

My request Was never Answered or Returned

Inmate/Parolee Signature: James E. Lawson

Date Submitted: 6-1-08

C. INFORMAL LEVEL (Date Received: \_\_\_\_\_)

Staff Response: \_\_\_\_\_

INMATE APPEALS BRANCH  
 RECEIVED  
 JUN - 6 2008  
 Request for info not submitted - request for interview to Council

Staff Signature: \_\_\_\_\_ Date Returned to Inmate: \_\_\_\_\_

**D. FORMAL LEVEL**

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

Signature: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Note: Property/Funds appeals must be accompanied by a completed \_\_\_\_\_

CDC Appeal Number: \_\_\_\_\_

Board of Control form BC-1E, Inmate Claim

0734980



T77697

